

**RECEIVED
CENTRAL FAX CENTER**

SEP 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/036,304 Confirmation No.: 2753
Applicant(s): Burnhouse et al.
Filed: 12/28/2001
Art Unit: 2682
Examiner: Milord, Marceau
Title: Data Transfer Rate Display Selection
Attorney Docket No.: 871.0103.U1 (US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response To Office Action

Sir:

This is in response to the Office Action mailed 06/29/2005 in regard to the above-identified patent application. Claims 1-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walsh (US 6,144,848) in view of Herrod et al. (US 6,405,049 B2) and Soini et al. (US 6,445,932 B1). The examiner is requested to reconsider this rejection.

The examiner is requested to clarify the grounds of the rejection. On page 2 of the office action the examiner cites Soini et al. (US 6,445,932 B1) as one of the three references being combined to reject the claims. However, the body of the explanation of the rejection mentions Schwoegler; not Soini et al. In addition, use of Soini et al. as a reference was overcome under MPEP §706.02(1)(2) in the last response filed 2/22/2005. The examiner is requested to clarify the grounds of the rejection. For the purposes of this response it is